

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
Southern Division – Detroit**

LC TRADEMARKS, INC.,)
a Michigan corporation, and)
BLUE LINE FOODSERVICE)
DISTRIBUTION, INC.,)
a Michigan corporation,)
Plaintiffs,)
v.)
VICTORIOUS FOODS, LLC,)
a Nevada limited liability company,)
BITWEALTH HOLDINGS, LLC,)
a Nevada limited liability company,)
MATTHEW GOETTSCHKE,)
a Colorado citizen,)
GAVIN DICKSON,)
a Utah citizen,)
ERNEST KOURY,)
a Texas citizen,)
GEORGE OMAR KOURY,)
a Nevada citizen,)
GEORGE OMAR KOURY,)
Trustee of the VM3G Family Trust,)
GINA RENEE KOURY,)
a Nevada citizen,)
GINA RENEE KOURY,)
Trustee of the VM3G Family Trust,)
AFIFI KOURY,)
a Nevada citizen,)
THOMAS B. ROSHEK, III,)
a Texas citizen,)
DANIELLE GOETTSCHKE,)
a Colorado citizen,)
SANDRA KOURY,)
A Texas citizen, and)
TARA MICHELLE DUVAL,)
a Texas citizen,)
Defendants.)

Case No.: 19-cv-13782

Honorable Paul D. Borman

Mag. Judge Anthony P. Patti

MOTION TO WITHDRAWAL AS COUNSEL FOR
ERNEST KOURY AND SANDRA KOURY

NOW COMES the law firm of Maddin Hauser Roth & Heller, PC (“Maddin Hauser”), and for its Motion To Withdrawal As Counsel For Ernest Koury and Sandra Koury, states as follows:

1. Maddin Hauser was retained by Ernest and Sandra Koury to represent them in the above captioned matter.

2. On or about October 23, 2020, Maddin Hauser was informed by Ernest and Sandra Koury that they were terminating the attorney-client relationship with Maddin Hauser because of the inability to pay for legal services.

3. Accordingly, Maddin Hauser sent the proposed stipulated order to Ernest and Sandra Koury to approve the withdrawal and termination of the representation. (**Exhibit A:** Proposed Order).

4. Ernest and Sandra Koury approved the proposed stipulated order for filing with the Court; however, Plaintiff’s counsel has objected. (**Exhibit B:** Koury Email).

5. Plaintiff has served discovery requests on Ernest and Sandra Koury, which are due on or before October 30, 2020.

6. Maddin Hauser has no authority to respond to these requests on behalf of Ernest and Sandra Koury as the representation has been voluntarily terminated by Ernest and Sandra Koury.

7. A client may terminate his attorney's representation by sending notice of the termination to the attorney. *Estate of Michael v Dougherty*, 249 Mich App 668, 685; 644 NW2d 391 (2002).

8. A lawyer discontinues serving a client when relieved of the obligation by the client or the court. *Maddox v. Burlingame*, 205 Mich App 446, 450; 517 NW2d 816 (1994).

9. In this case, Ernest and Sandra Koury voluntarily terminated the attorney-client relationship with Maddin Hauser and provided written notice of the termination to Maddin Hauser on or about October 23, 2020. (**Exhibit B**). Ernest and Sandra Koury have stipulated to the formal withdrawal of Maddin Hauser as their counsel. (**Exhibit B**). Therefore, the Court should enter an order allowing Maddin Hauser to withdraw as counsel for Ernest and Sandra Koury.

WHEREFORE, Maddin Hauser respectfully requests that this honorable Court enter an order approving the withdrawal of Maddin Hauser from the representation of Ernest and Sandra Koury, and allow 30 days for Ernest and Sandra Koury to retain new counsel and answer Plaintiff's discovery requests.

Respectfully Submitted,

MADDIN, HAUSER, ROTH & HELLER, P.C.

/s/ John A. MacKenzie

Martin S. Frenkel (P49283)

David E. Hart (P45084)

John A. MacKenzie (P80386)

Attorney for Defendants, George

*Omar Koury George Omar Koury as Trustee for
the VM3G Family Trust, Gina Renee Koury, Gina
Renee Koury as Trustee for the VM3G Family
Trust Thomas B. Roshek III, Tara Michelle Duval,
and Afifi Koury*

28400 Northwestern Hwy., STE 200

Southfield, MI 48034

(248) 351-7008

jmackenzie@maddinhauser.com

Dated: October 27, 2020

CERTIFICATE OF SERVICE

I hereby certify that on **October 27, 2020**, I electronically filed the above documents and this Certificate of Service using the ECF Filing system, which will send notification of such filing to those who are currently registered to receive e-mail notices for this case.

MADDIN HAUSER ROTH & HELLER, P.C.

By: /s/ Sarah E. Morris

Sarah E. Morris

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**BRIEF IN SUPPORT OF MOTION TO WITHDRAWAL AS COUNSEL
FOR ERNEST KOURY AND SANDRA KOURY**

Maddin Hauser relies on its motion and respectfully requests that this honorable Court enter an order approving the withdrawal of Maddin Hauser from the representation of Ernest and Sandra Koury, and allow 30 days for Ernest and Sandra Koury to retain new counsel and answer Plaintiff's discovery requests.

Respectfully Submitted,

MADDIN, HAUSER, ROTH & HELLER, P.C.

/s/ John A. MacKenzie

Martin S. Frenkel (P49283)

David E. Hart (P45084)

John A. MacKenzie (P80386)

Attorney for Defendants, George

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MADDIN HAUSER ROTH & HELLER, P.C.

By: /s/ Sarah E. Morris
Sarah E. Morris